UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,720	01/26/2004	Gilad Odinak	INTL-1-1039	2555

25315 7590 02/23/2007	EXAMINER	
BLACK LOWE & GRAHAM, PLLC	, ZEWARI, SAYED T	
701 FIFTH AVENUE	ART UNIT	PAPER NUMBER
SUITE 4800	2617	
SEATTLE, WA 98104		

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/765,720	ODINAK, GILAD
	Examiner	Art Unit	
	Sayed T. Zewari	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 January 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>5-7</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>5-7</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Response to Arguments

Applicant's arguments with respect to claims 5, 6, and 7 have been considered but are

moot in view of the new ground(s) of rejection.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 5-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Larsson

et al. (US 6,697, 638).

With respect to claim 5, Larsson discloses a computer program product residing

on a phone embedded in a vehicle for performing a method for automatically using a

service plan of a personal mobile phone over the phone embedded within the vehicle

(See Larsson's abstract, col.1 lines 7-41, 44-55, figure 1, col.2 lines 19-62, figure 2,

col.3 lines 24-50, figure 4, col.3 lines 45-67, col.4 lines 1-20, figure 12, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25), the method comprising: detecting the presence of the personal mobile phone (See Larsson's abstract, figure 3, 4, col.3 lines 24-67, col.4 lines 1-20); receiving a mobile subscriber identification number from the detected phone (See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25); sending the mobile subscriber identification number to a wireless network authority (See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11); sending an authentication request received from the network authority to the personal mobile phone (See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11); receiving a confirmation of the authentication from the personal mobile phone (See Larsson's abstract, figure 3-5, col.3 lines 24-67, col.4 lines 1-20); sending the confirmation of the authentication to the wireless network authority (See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11 figure 5, figure 3-5, col.3 lines 24-67, col.4 lines 1-20); ending communication between the personal mobile phone and the embedded phone; and opening a communication session with the wireless network based on the sent confirmation (See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11 figure 5, figure 3-5, col.3 lines 24-67, col.4 lines 1-20);

With respect to claim 6, Larsson discloses a computer program product residing in a phone embedded within a vehicle (See Larsson's abstract, col.1 lines 7-41, 44-

55, figure 1, col.2 lines 19-62, figure 2, col.3 lines 24-50, figure 4, col.3 lines 45-67, col.4 lines 1-20, figure 12, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25), the computer program product comprising: a first component for detecting the presence of a personal mobile phone (See Larsson's abstract, figure 3, 4, col.3 lines 24-67, col.4 lines 1-20); a second component for receiving a mobile subscriber identification number from the detected phone (See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25); a third component for sending the mobile subscriber identification number to a wireless network authority (See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11); a fourth component for sending an authentication request received from the network authority to the personal mobile phone (See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11); a fifth component for receiving a confirmation of the authentication request from the personal mobile phone (See Larsson's abstract, figure 3-5, col.3 lines 24-67, col.4 lines 1-20); a sixth component for sending the confirmation of the authentication request to the wireless network authority (See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11 figure 5, figure 3-5, col.3 lines 24-67, col.4 lines 1-20); a seventh component for ending communication between the personal mobile phone and the embedded phone; and an eighth component for opening a communication session with the wireless network based on the sent confirmation (See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15,

col.7 lines 10-11, lines 18-25, col.7 lines 10-11 figure 5, figure 3-5, col.3 lines 24-

67, col.4 lines 1-20);

With respect to claim 7, Larsson discloses a vehicle, comprising:

an embedded phone **(See Larsson's abstract, figure 1, col.2 lines 19-62) operable**

to: detect the presence of the personal mobile phone (See Larsson's abstract,

figure 3, 4, col.3 lines 24-67, col.4 lines 1-20); receive a mobile subscriber

identification number from the detected phone **(See Larsson's abstract, col.5 lines**

58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25); send the mobile subscriber

identification number to a wireless network authority **(See Larsson's abstract, col.5**

lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11);

send an authentication request to the personal mobile phone **(See Larsson's abstract,**

col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11);

receive a confirmation of the authentication **(See Larsson's abstract, figure 3-5, col.3**

lines 24-67, col.4 lines 1-20); send the confirmation of the authentication to the

wireless network authority **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-**

15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11 figure 5, figure 3-5, col.3 lines

24-67, col.4 lines 1-20); end communication between the personal mobile phone and

the embedded phone; open a communication session with the wireless network based

on the sent confirmation **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15,**

col.7 lines 10-11, lines 18-25, col.7 lines 10-11 figure 5, figure 3-5, col.3 lines 24-

67, col.4 lines 1-20);

Conclusion

3.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sayed T. Zewari whose telephone number is 571-272-6851. The examiner can normally be reached on 8:30-4:30.

4.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

5.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sayed T. Zewari   WILLIAM TROST
                                               SUPERVISORY PATENT EXAMINER
February 17, 2007   TECHNOLOGY CENTER 2600